IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

CHAMBER SUMMONS NO.504 OF 2003
IN
EXECUTION APPLICATION NO. 423 OF 2002
IN
SUMMARY SUIT NO. 2731 OF 2000

A.S. Enterprises ....Plffs,
vs.
Janki Vinay Co.op Hsg.Soc.Ltd ....Defds

S.K. Chinehalikar for the plaintiffs to show cause.

K.R. Parekh for the defendants in support.

CORAM: S.U. KAMDAR, J.

DATE : 19TH APRIL, 2005.

P.C. :

1. Learned counsel for the defendant seeks leave to withdraw the chamber summons with liberty to take out a fresh chamber summons on the same cause of action, if necessary, after the decision in Notice of Motion No. 1226 of 2003 which is still pending and the same is for setting aside the ex-parte decree which is put

in execution. Learned counsel for the plaintiff decree holder states that till the motion is decided they will not execute the said decree. In view thereof chamber summons disposed off accordingly with no order as to costs.

sd/-

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